

• Appl. No. 09/986,636
Amdt. Dated December 9, 2003
Reply to Office Action of September 10, 2003

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 1 and 2. These sheets, which include Figs. 1 and 2, replace the original sheets including Figs. 1 and 2.

Attachment: Replacement Sheets
Annotated Sheets Showing Changes

REMARKS/ARGUMENTS

Status of the Claims

Claims 1-24 are pending in the application. Claims 1-8 stand rejected, with claims 9-24 only being objected to as being dependent upon a rejected base claim and otherwise being allowable if rewritten in independent form, etc. Claim 4 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 and 2 stand rejected under 35 U.S.C. 102(c), and claims 2 and 4 stand rejected under 35 U.S.C. 103(a), as do claims 5 and 7.

Amendments to the Disclosure and Drawings

The amendment to paragraph 32 simply corrects a minor typographical error at the end of the paragraph. In paragraph 35, another minor typographical error at the beginning of the paragraph has been corrected. Additionally, the reference numeral 14a has been introduced at line 3 of the paragraph for a heat exchanger. Correspondingly, there is attached an amended version of Figure 1 showing a heat exchanger 14a that has been added in the heat transfer circuit.

The Examiner had indicated that claim 9, directed to the feature of an auxiliary heater in the heat transfer circuit, would be allowable if put in independent form. Accordingly, the feature of a heater in the heat transfer circuit has been introduced into the independent claims, as detailed below. To ensure that this feature is properly shown and described, and in particular to ensure compliance with 37 C.F.R. 1.83(a) (requiring that all claim features be shown in the drawings), the heater in the heat transfer circuit is now being clearly shown in Figure 1. It is noted that this corresponds exactly with the description of this element found in paragraph 35, and the amendment to paragraph 35 merely requires insertion of an appropriate reference numeral. No new matter has been added.

Amendments to the Claims

Accordingly, claim 1 has been amended by the introduction of a new step (4), that introduces the feature of providing additional heat to the heat transfer fluid, when required. Step (3) of claim 1 has been subject to a purely editorial revision, to clarify this step.

Claim 4 had been rejected, on the ground that the terms "desired temperature" and "desired operating temperatures" were relative and indefinite. In response, this claim now refers to maintaining the chemical hydride solution at "an operating temperature" and also to "operating temperatures" for the reactor and the fuel cell stack. As is clear in the context of this invention, it is well understood by persons skilled in the art that these elements would have their own respective operating temperatures, and accordingly reference to such operating temperatures is in no way indefinite.

Corresponding to claim 1, claim 5, an independent claim directed to the energy system, has been amended at the end of the claim to introduce the feature of a heater for the heat transfer circuit.

Claim 6 has been amended to make it clear that the heater for the heat transfer circuit is part of or included within the means for controlling the temperature in the heat transfer circuit, and a corresponding, minor amendment has been made to claim 7.

In view of the introduction of the heater for the heat transfer circuit into claim 5, claim 9 has been deleted, and the dependency of claim 10 changed to depend from claim 8.

In claim 20, for the avoidance of any ambiguity, the pump is now defined as a "oxidant pump".

Claim Rejections

While claims 1-8 stand rejected variously under 35 U.S.C. 102(e) and 103(a), the Examiner had noted that claim 9 was only objected to as being dependent upon a rejected base claim. In effect, the subject matter of claim 9 has been introduced

into both independent claims 1 and 5. Accordingly, it is submitted that these independent claims are now allowable, as indicated by the Examiner. It is submitted that further arguments or analysis of the prior art rejections is not required. It is noted that the dependent claims, dependent from claims 1 and 5, are also allowable as being dependent from an allowable claim and also for introducing further patentable features.

Drawing Correction

Please find attached amended copies of Figures 1 and 2. Figure 1 has been amended, as indicated above, to introduce the heater, designated by the reference 14a. In Figure 2, the reference 14 has been corrected to read 24, to correspond to Figure 1 and to avoid the use of a duplicate reference numeral.

Information Disclosure Statement

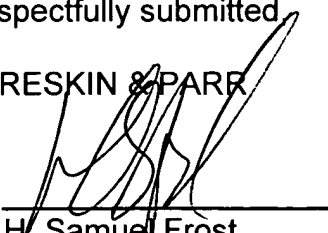
Applicant submitted an Information Disclosure Statement on September 5, 2003. It is recognized that this was almost certainly received too late to be reviewed by the Examiner before mailing of the Office Action. Nonetheless, it is noted that this was filed with your office before mailing of the Office Action, and accordingly it is submitted that this Information Disclosure Statement can be properly reviewed and made of record by the Examiner.

According, early review and allowance of the application are requested.

Respectfully submitted,

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Attachments